

**AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE ARIZONA BOARD OF REGENTS  
ACTING FOR AND ON BEHALF OF  
NORTHERN ARIZONA UNIVERSITY**

THIS AGREEMENT is entered into September 30, 1996, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the ARIZONA BOARD OF REGENTS acting for and on behalf of the NORTHERN ARIZONA UNIVERSITY (NAU), (the "University").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The University is empowered by Arizona Revised Statutes Section 15-1626 to enter into this agreement and has by Policy BOR 3-103, a copy of which is attached hereto and made a part hereof, authority to execute this agreement on behalf of the University.

3. The State has a continuing requirement for various trade, technical and professional training such as construction, maintenance, traffic, landscaping, bridge, safety, computers, planning, etc. The University has the professional and technical training personnel to provide the training.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

---

## II. SCOPE OF WORK

### 1. The State will:

a. Appoint a training coordinator within the State's Human Resource Development Center (HRDC) to interface with the University relating to the training. Provide appropriate advance notification to the University of the various types of desired training. Coordinate as required with the University to arrange and receive the training.

b. Be responsible for all costs or fees associated with the training, as in a typical college/student relationship.

c. Reimburse the University within forty-five (45) days after receipt and approval of training invoices. Such reimbursements will be in the form of State purchase orders, financed by the budget of the Human Resources Development Center.

### 2. The University will:

a. Appoint a training coordinator at the University (NAU) to interface with the State relating to the training. Coordinate the administrative aspects of the training to provide instructors and training utilizing the resources of the University.

b. Provide training curriculum and approved certified instructors for courses requested by the State that have an agreed minimum number of enrollees.

c. Invoice the State upon the beginning of each class.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall become effective upon signing by both parties and remain in force and effect until completion of said training; provided, however, that this agreement, may be cancelled at any time prior to the start of any training course, upon thirty (30) days written notice to the other party.

2. The parties agree to comply with all applicable state and federal laws, rules, regulations and executive orders governing equal employment opportunity, immigration, nondiscrimination and affirmative action.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 and 12-133 and rules promulgated thereunder.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Northern Arizona University  
Office of the Associate Provost  
Research and Graduate Studies  
Box 4085 NAU  
Flagstaff, AZ 86011

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

NORTHERN ARIZONA UNIVERSITY

STATE OF ARIZONA

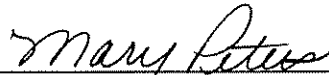
Department of Transportation

By



Henry O. Hooper  
Associate Provost  
Research and Graduate Studies  
ARIZONA BOARD OF REGENTS

By

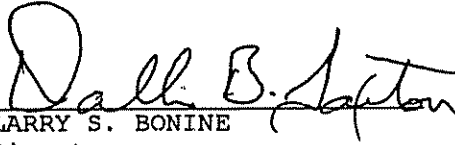


MARY PETERS  
Deputy Director

RESOLUTION

BE IT RESOLVED on this 17th day of July 1996, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the Northern Arizona University for the purpose of defining responsibilities for the UofA providing professional and technical training to ADOT.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy Director for approval and execution.

  
for LARRY S. BONINE  
Director

## 3-103 Signing of Documents on Behalf of Board

- A. University officers designated by the president of the university, as certified to the Executive Director, are authorized to execute contracts and other written instruments on behalf of the Board. In addition, the President of the University may delegate his authority to execute contracts and other written instruments to appropriate university officials without certification to the Executive Director in the following circumstances: (1) The value of the university's obligation under the contract or other written instrument is \$10,000 or less; and (2) the delegation of authority is warranted to improve efficiency and effectiveness of university operations and does not unduly expose the Board or the university to financial loss.
- B. Officers of the central staff approved by the Board of Regents are authorized to execute and deliver in behalf of the Board all instruments incidental, convenient or necessary to the transaction of business between said Board and the Department of Administration of the State of Arizona.
- C. The president, secretary, or assistant secretary of the Board, or the secretary to said Board, is authorized to certify to depositories approved pursuant to Section 3-101 the following:
  - 1. A copy of the relevant Board policies.
  - 2. A copy of Board actions taken to implement the policies in Chapter III.
  - 3. A copy of the names and signatures of Board or university officers or employees authorized to act in the premises.

(ABOR 10/83, 9/90, 3/92)